REMARKS

Applicant thanks the Examiner for the thorough consideration given the present application. Claims 1-5 are currently being prosecuted. The Examiner is respectfully requested to reconsider his rejections in view of the amendments and remarks as set forth below.

Rejection under 35 U.S.C. § 102

Claims 1-3 stand rejected under 35 U.S.C. § 102 as being anticipated by the Rosenberg article. This rejection is respectfully traversed.

The Examiner states that the article describes a breakpoint in a program command sequence as being implemented by inserting at a point some kind of a jump, call or trap instruction that transfers control to a debugger so that the status of variables might be examined. The Examiner assumes that the error output command in the POST is equivalent to a breakpoint. The Examiner further points out that the article teaches that breakpoints are inserted allowing the user to examine various conditions or variables. The Examiner further states that the article shows conditional breakpoints which cause a stop when a particular value is found.

Applicant submits that the present claims are not anticipated by the Rosenberg article. Applicant believes that the inclusion of a breakpoint in a program command sequence is indeed known in the art. Applicant also believes that a breakpoint can be implemented

by inserting at a point, some kind of jump, call or trap instruction. However, Applicant submits that the references do not teach the present claimed invention. First, it is pointed out that the error output command is being inserted not only in the POST, but specifically in the sub routine of the POST program. Thus, the Rosenberg article does not teach this particular location for the insertion of the error output command. Thus, this method is used in the process of debugging and allows the debugging to be used more efficiently.

Furthermore, the last paragraph of claim 1 now makes it clear that the error output command is enabled selectively by the operator during testing. Thus, in the present invention, the technician or other operator who is testing the system can enable the error output command so as to review the results of the testing. However, this may be selectively disabled after the testing is finished in order to avoid a decrease in execution deficiency of the BIOS when the consumer is using the product. The Rosenberg article thus allows for an automatic enabling when certain conditions occur. However, it does not teach the concept of selectively enabling the command by the operator during the testing process and allowing the command to be turned off for the consumer. Accordingly, Applicant submits that claim 1 is not anticipated by the article.

Claims 2-4 depend from claim 1 and as such are also considered to be allowable.

Rejection under 35 U.S.C. § 103

Claim 4 stands rejected under 35 U.S.C. § 103 as being obvious over the Rosenberg article in view of Andrews et al. (U.S. Patent No. 6,317,871). This rejection is respectfully traversed.

The Examiner relies on the Andrews reference to show a conditional compilation where statements are compiled only if the condition is true. The Examiner feels that it would have been obvious to use such a conditional compilation as disclosed by Andrews in the Rosenberg arrangement.

Applicant submits that claim 4 is not obvious over this combination of references. First, claim 4 is allowable based on its dependency from allowable claim 1. Further, even if Andrews does show that the error output command is compiled, is does not show the concept of having this occur only during the testing phase when selectively enabled by the operator. Thus, the language added to claim 1 makes it clear that claim 4 would not be obvious over the Andrews teaching.

Applicant has added new claim 5 to further point out that the error output command is disabled by the operator when the testing phase is complete and the product is sold to the consumer. This concept is not taught by the article or by the Andrews patent. Accordingly, Applicant submits that claim 5 is likewise allowable.

Conclusion

In view of the above remarks, it is believed that the claims clearly distinguish over the patents relied on by the Examiner either alone or in combination. In view of this, reconsideration of the rejections and allowance of all of the claims are respectfully requested.
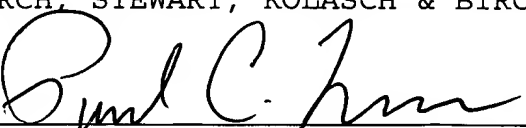
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert F. Gnuse (Reg. No. 27,295) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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(Rev. 02/12/2004)

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